

Attorney Docket No. SCHWP0147US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of

Applicant: Andreas Blumhofer et al.
Application No.: 09/955,470
Filing Date: September 18, 2001
Title: METHOD AND DEVICE FOR ACCURATELY POSITIONING A PATIENT IN RADIOTHERAPY AND RADIOSURGERY
Examiner: Hoon K. Song
Art Unit: 2882

RECEIVED
DEC - 8 2003
TECHNOLOGY CENTER 2800

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

1. Pursuant to 37 C.F.R. 1.97 and 1.98, and in compliance with 37 C.F.R. 1.56, the Office's attention is directed to the patents, pending applications, publications and other information listed on the attached PTO-1449. A copy of each listed document is enclosed, except for (a) those previously cited or submitted to the Office in the following application(s) upon which this application relies for an earlier filing date under 35 U.S.C. 120, and (b) any U.S. patent or U.S. patent application publication if the present application was filed after June 30, 2003 or entered the national stage under 35 USC § 371 after June 30, 2003:

Serial No.: _____
Filing Date: _____

Regarding any document, publication or other information for which a date is not given on the attached PTO-1449, Applicant(s) believe(s) the same may qualify as "prior" art to this application and should be treated accordingly, although Applicant(s) reserve(s) the right to contest the prior art status of any document, publication or information, should issue arise.

2. Regarding each listed document that is not in the English language, an English-language translation accompanies this Statement as indicated on the attached PTO-1449 or a concise explanation of the relevance of the document is set forth in the following document(s):

(a) _____ A copy of each English language version of a search report (or EPO Search Report) indicating the degree of relevance found by the foreign office of each document being submitted from the search report, is being submitted herewith or has previously been submitted.

(b) _____ Attached is a "Concise Explanation of Relevance of Non-English Language Documents".

3. Pursuant to 37 C.F.R. 1.97(b) this Statement is being filed (one must be checked):

(a) _____ Within 3 months of the filing date or date of entry into the National Stage.

(b) _____ Before the mailing date of a first Office Action on the merits. If this Statement is not filed before the mailing date of a first Office Action on the merits, the required certification is given below or, in the absence thereof, the Office is authorized to charge the required fee set forth in 37 C.F.R. 1.17(p) to Deposit Account No. 18-0988 for consideration of this Statement.

(c) _____ Before the mailing date of a first Office Action on the merits after a first or second submission after final rejection under 37 C.F.R. 1.129(a).

(d) X After the period set forth in 37 C.F.R. 1.97(b) but before the mailing date of either a final action or a notice of allowance.

(1) ___ The required certification is given below, or

(2) X Enclosed is a check covering the fee set forth in 37 C.F.R. 1.17(p) for consideration of this Statement, or

(3) ___ Charge the fee set forth in 37 C.F.R. 1.17(p) to Deposit Account No. 18-0988

(e) ___ After the mailing date of either a final action or a notice of allowance, but before payment of the issue fee. Petition hereby is made for consideration of this Statement and the required certification is indicated below.

(1) ___ Enclosed is a check covering the fee set forth in 37 C.F.R. 1.17(p), or

(2) ___ Charge the fee set forth in 37 C.F.R. 1.17(p) to Deposit Account No. 18-0988.

4. Certification (if applicable)


(a) ___ The undersigned hereby certifies that each item of information contained in this Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than 3 months prior to the filing of this Statement.

(b) ___ The undersigned hereby certifies that no item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the undersigned's knowledge after making reasonable inquiry, no item of information contained in this statement was known to any individual designated in 37 C.F.R. 1.56(c) more than 3 months prior to the filing of this Statement.

5. The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 18-0988.

Respectfully Submitted,

RENNER, OTTO, BOISSELLE & SKLAR, LLP

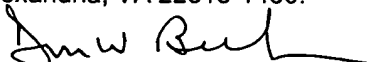
By 
Don W. Bulson
Reg. No. 28,192

1621 Euclid Avenue, 19th Floor
Cleveland, Ohio 44115
(216) 621-1113

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence (along with any paper referenced as being attached or enclosed) is being deposited on the below date with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: 11-24-03


Don W. Bulson



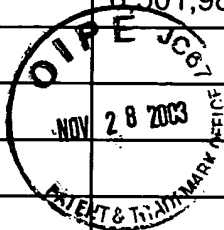
Form PTO-1449 (Modified)	Atty Docket No. SCHWP0147US	Serial No. 09/955,470
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)	Applicant: Andreas Blumhofer et al.	
	Filing Date September 18, 2001	Group

U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date (MM/YYYY)	Name	Class	Sub-class	Filing Date if Appropriate
	4,118,631	10/1978	Froggatt			
	4,233,519	11/1980	Coad			
	4,633,494	12/1986	Klausz			
	4,791,934	12/1988	Brunnett			
	4,846,173	07/1989	Davidson			
	4,868,843	09/1989	Nunan			
	5,205,289	04/1993	Hardy et al.			
	5,207,223	05/1993	Adler			
	5,373,844	12/1994	Smith et al.			
	5,427,097	06/1995	Depp			
	5,430,308	07/1995	Feichtner et al.			
	5,446,548	08/1995	Gerig et al.			
	5,537,452	07/1996	Shepherd et al.			
	5,695,501	12/1997	Carol et al.			
	5,727,554	03/1998	Kalend et al.			
	5,748,700	05/1998	Shepherd et al.			
	5,800,353	09/1998	McLaurin, Jr.			
	5,815,547	09/1998	Shepherd et al.			
	5,894,503	04/1999	Shepherd et al.			
	5,899,857	05/1999	Wilk			
	6,076,005	06/2000	Sontag et al.			
	6,125,164	09/2000	Murphy et al.			
	6,144,875	11/2000	Schweikard et al.			
	6,314,312	11/2001	Wessels et al.			
	6,422,748	07/2002	Shepherd et al.			

RECEIVED
 DEC - 8 2003
 TECHNOLOGY CENTER 2800

Examiner Initial	Document Number	Date (MM/YYYY)	Name	Class	Sub-class	Filing Date if Appropriate
	6,454,776	09/2002	Tajima et al.			
	6,501,981	12/2002	Schweikard et al.			



FOREIGN PATENT DOCUMENTS

Examiner Initial	Document Number	Date (MM/YYYY)	Country	Class	Sub-class	Translation	
						Yes	No
	02/22019	03/2002	WO				

OTHER ART

Examiner Initial	Author, Title, Date, Pertinent Pages, etc.

RECEIVED
 DEC - 8 2003
 TECHNOLOGY CENTER 2800

EXAMINER	DATE CONSIDERED
----------	-----------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Information Disclosure Statement PTO-1449 (Modified)

The identification of any reference is not intended to be, and should not be understood as being, an admission that such publication, in fact, constitutes "prior art" within the meaning of applicable law since, for example, a given reference may have a later effective date than first seems apparent or the reference may have an effective date which can be antedated. The "prior art" status of any reference is a matter to be resolved during prosecution.

Z:\SEC152\152\DWB\SCHW\PI\P0147\P0147US.IDS2.wpd (IDS1449.FRM) (2/97)